EXHIBIT D

12/26/2016 7:08:30 PM
Chris Daniel - District Clerk Harris County
Envelope No. 14445300
By: Nelson Cuero
Filed: 12/26/2016 7:08:30 PM

2016-87870 / Court: 127

CAUSE NO.:____________________

JESUS FUENTES AND JOHN CHRIS BARRIENTES Plaintiffs,	§	IN THE DISTRICT COURT
	§	
	§	
vs.	§	________ JUDICIAL DISTRICT
	§	
CITY OF HOUSTON	§	
Defendant.	§	OF HARRIS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW JESUS FUENTES ("Fuentes") and JOHN CHRIS BARRIENTES ("Barrientes") (each a "Plaintiff" and collectively hereinafter called the "Plaintiffs") complaining of the City of Houston, more specifically the City of Houston Fire Department (hereinafter called the "Defendant" or "Houston Fire Department"), and file this Original Petition seeking both monetary damages and non-monetary relief. In connection therewith, the Plaintiffs respectfully show the Court as follows:

DISCOVERY CONTROL PLAN

1. The Plaintiffs intend that this case will proceed under a Level 2 Discovery Plan under the Texas Rules of Civil Procedure.

CLAIM FOR RELIEF

2. The Plaintiffs seek monetary relief over $200,000.00 but not more than $1,000,000.00, and non-monetary relief.

PARTIES AND SERVICE

3. Plaintiff JESUS FUENTES is a resident of Harris County, Texas. He is an employee of the City of Houston Fire Department. His residential address is 317 McAlpine St., Houston, Texas 77003.

4. Plaintiff JOHN CHRIS BARRIENTES is a resident of Harris County, Texas. He is an employee of the City of Houston Fire Department. His residential address is 4302 Dallas St., Houston, Texas 77023.

5. The Defendant CITY OF HOUSTON is an incorporated city having its principal place of business in Harris County, Texas, and service of process may be had by serving its CITY SECRETARY, ANNA RUSSELL, in the Office of the City Secretary, at 900 Bagby, Room P101, Houston, Texas 77002, or wherever she may be found.

JURISDICTION

6. This Court has subject matter jurisdiction over this case because the amount in controversy is within the jurisdictional limits of the Court. This Court has personal jurisdiction over Defendant because it is a political subdivision of the State of Texas.

7. All conditions precedent have been satisfied. Plaintiffs have exhausted all administrative remedies with the Equal Employment Opportunity Commission ("EEOC") and a right to sue letter has been issued. This lawsuit is timely filed.

VENUE

8. Venue is proper pursuant to §15.002(a)(1) of the Civil Practice and Remedies Code because Harris County is the county in which all or a substantial part of the events or omissions giving rise to these claims occurred.

BACKGROUND

9. Plaintiffs are each seasoned veterans of the Houston Fire Department with excellent service records. Plaintiffs are both Hispanic males who, at the time of this Original Petition, are employed as Senior Captains by the City of Houston Fire Department.

10. Plaintiffs were both on an eligibility list for promotion to a District Chief position within the Houston Fire Department that expired on September 23, 2015. Fuentes was ranked No. 19 on that list and Barrientes was ranked No. 20. Eighteen (18) individuals were promoted from that list. However, Messrs. Fuentes and Barrientes contend that there were two (2) additional Deputy Chief positions vacant in June of 2015 prior to the expiration of the relevant District Chief's eligibility list for promotion and during the time the list was still in effect. Therefore, those two (2) additional vacancies should have created additional Deputy Chief openings in which Fuentes and Barrientes were next in line to fill.

11. Fuentes and Barrientes also allege that the Houston Fire Department deliberately manipulated its promotion process to favor non-Hispanic candidates. With respect to the specific District Chief's promotional list at issue here, they charge that the Houston Fire Department deliberately delayed action on promotions for the two (2) additional vacant Deputy Chief positions to illegally allow it to expire so that the Houston Fire Department could avoid promoting Messrs. Fuentes and Barrientes and promote non-Hispanic firefighters instead.

12. Prior to filing his grievance with the City of Houston, Fuentes was contacted by Janice Thompson of City of Houston Human Resources and was informed that he was promoted to the Rank of District Chief. However, approximately three (3) hours later she called him back and told him that she had made a mistake according to Houston Fire Department Command administration.

13. The Houston Fire Department is large. It has over four thousand (4,000) firefighters. However, particularly with respect to Hispanics, its command staff does not reflect the racial and ethnic diversity of the City of Houston. Additionally, Messrs. Fuentes and Barrientes allege that the Houston Fire Department has a history of treating Houston Hispanic firefighters unfairly and others in a discriminatory manner. The following are just a few relatively recent examples known

to Messrs. Fuentes and Barrietes that they believe demonstrate such unfair and discriminatory treatment by the Houston Fire Department:

a. In 2015, Executive Assistant Ricardo Galvan, a 29 yr. veteran, with no discipline in all his years with the Houston Fire Department and an impeccable reputation, was terminated for purported untruthfulness. However, he got reinstated after appealing to the City of Houston Civil Service Commission.

b. In 2013, Assistant Chief Thomas Munoz, a 20 yr. veteran, with no discipline in all his years with the Houston Fire Department, was demoted without cause by former Fire Chief Terry Garrison. "I want to go in another direction" was the only reason provided by Chief Garrison for the demotion.

c. In 2013, Assistant Chief Beda Gutierrez-Kent was demoted by former Fire Chief Terry Garrison "I want to go in another direction" was the only reason given for demotion.

d. In 2012, Assistant Chief David Almaguer EMS division was threatened and nearly terminated by Fire Chief Terry Garrison for "failing to remove a White EMS supervisor and replace him with a Black" even though the white was more qualified and the EMS Director supported Chief Alamguer's support of the White supervisor.

CAUSES OF ACTION

I. TITLE VII RACE AND/OR NATIONAL ORIGIN DISCRIMINATION

14. The Plaintiffs hereby incorporate all of the foregoing allegations by reference.

15. The Defendant violated Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 by discriminating against the Plaintiffs, their employees, by intentionally refusing the Plaintiffs' promotions on the basis of race and/or national origin. The Plaintiffs are members of a

protected class; the Plaintiffs were qualified for the promotions sought; the Plaintiffs were not promoted; and positions were filled by someone not in the Plaintiff's protected class.

16. As a result of the Defendant's wrongful conduct as described herein, the Plaintiffs have been denied promotions and denied raises. As a result, the Plaintiffs seek an award of back pay, front pay, and injunctive relief, according to proof at time of trial.

II. 42 U.S.C. § 1981 RACE DISCRIMINATION

17. The Plaintiffs hereby incorporate all of the foregoing allegations by reference.

18. Additionally, and in the alternative, the Defendant violated 42 U.S.C. § 1981 by discriminating against the Plaintiffs, the Defendant's employees, by intentionally refusing the Plaintiffs' promotions on the basis of race.

19. The Plaintiffs are members of a protected class; the Plaintiffs were qualified for the promotions sought; the Plaintiffs were not promoted; and positions were filled by someone not in the Plaintiff's protected class.

20. Upon information and belief, the Defendant acted pursuant to a municipal policy or custom that was implemented or endorsed by the Defendant in causing his alleged harm

21. As a result of the Defendant's wrongful conduct as described herein, the Plaintiffs have been denied promotions and denied raises. As a result, the Plaintiffs seek an award of back pay, front pay, and injunctive relief, according to proof at time of trial.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

22. The Plaintiffs filed a joint charge of national origin and color discrimination with the U.S. Equal Employment Opportunity Commission by letter dated July 18, 2016.

23. The U.S. Equal Employment Opportunity Commission issued a Notice of Right to Sue letter to each of the Plaintiffs, which the Plaintiffs received on September 28, 2016.

COSTS AND ATTORNEY'S FEES

24. The Plaintiffs hereby incorporate all of the foregoing allegations by reference.
25. As a result of the Defendants wrongful conduct as alleged above, the Plaintiffs have been forced to retain the undersigned attorney to represent them in this action.
26. Accordingly, request is made for all costs, interest, and reasonable and necessary attorney's fees under 42 U.S.C. § 1988, and Title VII of the Civil Rights Act of 1964, as amended, incurred by or on behalf of the Plaintiffs herein, including without limitation all costs and fees necessary in the event of an appeal.

PRAYER

WHEREFORE, PREMISES CONSDIERED, the Plaintiffs Jesus Fuentes and John Chris Barrientes respectfully pray that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiffs against the Defendant, for the economic and actual damages requested hereinabove in an amount in excess of the minimum jurisdictional limits of the Court, together with prejudgment interest at the maximum rate allowed by law, attorney's fees, costs of court, exemplary damages, injunctive relief, and such other and further relief to which the Plaintiffs may be entitled at law or in equity, whether pled or unpled.

Dated: December 26, 2016.

Respectfully submitted,

Joseph Soliz

Joseph Soliz
Texas Bar No. 18827600
The Soliz Law Firm, P.L.L.C
5201 Memorial Dr., Unit 343
Houston, Texas 77007
Telephone: (713) 228-8922
Facsimile: (713) 228-8959
E-mail: JSoliz@aol.com

ATTORNEY FOR PLAINTIFFS

DISTRICT COURT OF HARRIS COUNTY TEXAS

I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this January 13, 2017

Certified Document Number: 73213134 Total Pages: 6

Chris Daniel

Chris Daniel, DISTRICT CLERK

HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

12/26/2016 7:08:30 PM
Chris Daniel - District Clerk
Harris County
Envelope No: 14445300
By: CUERO, NELSON
Filed: 12/26/2016 7:08:30 PM

CIVIL PROCESS REQUEST FORM

2016-87870 / Court: 127

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING
FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: ______________ **CURRENT COURT:** ______________

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): ORIGINAL PETITION

FILE DATE OF MOTION: 12/26/2016
Month/ Day/ Year

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):

1. NAME: City of Houston

   ADDRESS: 900 Bagby, Room P101, Houston, Texas 77002

   AGENT, (*if applicable*): Anna Russell, City Secretary

TYPE OF SERVICE/PROCESS TO BE ISSUED (*see reverse for specific type*): CITATION

SERVICE BY (*check one*):

X☐ **ATTORNEY PICK-UP**
☐ **CONSTABLE**
☐ **CIVIL PROCESS SERVER -** Authorized Person to Pick-up: ______________ Phone: ______________
☐ **MAIL** ☐ **CERTIFIED MAIL**
☐ **PUBLICATION:**
Type of Publication: ☐ **COURTHOUSE DOOR, or**
☐ **NEWSPAPER OF YOUR CHOICE:** ______________
☐ **OTHER,** ***explain*** ______________

ATTENTION: Effective June1, 2010

For all Services Provided by the DISTRCT CLERKS OFFICE requiring our office to MAIL something back to the Requesting Party, we require that the Requesting Party provide a Self-Addressed Stamped Envelope with sufficient postage for mail back. Thanks you,

****

2. NAME: ______________

   ADDRESS: ______________

   AGENT, (*if applicable*): ______________

TYPE OF SERVICE/PROCESS TO BE ISSUED (*see reverse for specific type*): ______________

SERVICE BY (*check one*):

☐ **ATTORNEY PICK-UP** ☐ **CONSTABLE**
☐ **CIVIL PROCESS SERVER -** Authorized Person to Pick-up: ______________ Phone: ______________
☐ **MAIL** ☐ **CERTIFIED MAIL**
☐ **PUBLICATION:**
Type of Publication: ☐ **COURTHOUSE DOOR, or**
☐ **NEWSPAPER OF YOUR CHOICE:** ______________
☐ **OTHER,** ***explain*** ______________

ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:

NAME: Joseph G. Soliz TEXAS BAR NO./ID NO. 18827600

MAILING ADDRESS: 5201 Memorial Dr., Unit 343

PHONE NUMBER: 713 (area code) 228-8922 (phone number) FAX NUMBER: 713 (area code) 228-8959 (fax number)

EMAIL ADDRESS: JSoliz@aol.com

SERVICE REQUESTS WHICH CANNOT BE PROCESSED BY THIS OFFICE WILL BE HELD FOR 30 DAYS PRIOR TO CANCELLATION. FEES WILL BE REFUNDED ONLY UPON REQUEST, OR AT THE DISPOSITION OF THE CASE. SERVICE REQUESTS MAY BE REINSTATED UPON APPROPRIATE ACTION BY THE PARTIES.

INSTRUMENTS TO BE SERVED:
(Fill In Instrument Sequence Number, i.e. 1st, 2nd, etc.)

ORIGINAL PETITION
_______ AMENDED PETITION
_______ SUPPLEMENTAL PETITION

COUNTERCLAIM
_______ AMENDED COUNTERCLAIM
_______ SUPPLEMENTAL COUNTERCLAIM

CROSS-ACTION:
_______ AMENDED CROSS-ACTION
_______ SUPPLEMENTAL CROSS-ACTION

THIRD-PARTY PETITION:
_______ AMENDED THIRD-PARTY PETITION
_______ SUPPLEMENTAL THIRD-PARTY PETITION

INTERVENTION:
_______ AMENDED INTERVENTION
_______ SUPPLEMENTAL INTERVENTION

INTERPLEADER
_______ AMENDED INTERPLEADER
_______ SUPPLEMENTAL INTERPLEADER

INJUNCTION

MOTION TO MODIFY

SHOW CAUSE ORDER

TEMPORARY RESTRAINING ORDER

BILL OF DISCOVERY:

ORDER TO: ______________________
(specify)

MOTION TO: ______________________
(specify)

PROCESS TYPES:

NON WRIT:
CITATION
ALIAS CITATION
PLURIES CITATION
SECRETARY OF STATE CITATION
COMMISSIONER OF INSURANCE
HIGHWAY COMMISSIONER
CITATION BY PUBLICATION
NOTICE
SHORT FORM NOTICE

PRECEPT (SHOW CAUSE)
RULE 106 SERVICE

SUBPOENA

WRITS:
ATTACHMENT (PROPERTY)
ATACHMENT (WITNESS)
ATTACHMENT (PERSON)

CERTIORARI

EXECUTION
EXECUTION AND ORDER OF SALE

GARNISHMENT BEFORE JUDGMENT
GARNISHMENT AFTER JUDGMENT

HABEAS CORPUS
INJUNCTION
TEMPORARY RESTRAINING ORDER

PROTECTIVE ORDER (FAMILY CODE)
PROTECTIVE ORDER (CIVIL CODE)

POSSESSION (PERSON)
POSSESSION (PROPERTY)

SCIRE FACIAS
SEQUESTRATION
SUPERSEDEAS

I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this January 13, 2017

Certified Document Number: 73213136 Total Pages: 2

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

12/26/2016 7:08:30 PM
Chris Daniel - District Clerk
Harris County
Envelope No: 14445300
By: CUERO, NELSON
Filed: ~~12/26/2016 7:08:30 PM~~

CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (*FOR CLERK USE ONLY*): 2016-87870 / Court: 127 COURT (*FOR CLERK USE ONLY*): ______

STYLED JESUS FUENTES AND JOHN CHRIS BARRIENTES VS. CITY OF HOUSTON
(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet:

Name: Joseph G. Soliz
Email: JSoliz@aol.com
Address: 5201 Memorial Dr, Unit 343
Telephone: (713) 228-8959
City/State/Zip: Houston, Texas 77007
Fax: (713) 228-8959
Signature: Joseph Soliz
State Bar No: 18827600

Names of parties in case:

Plaintiff(s)/Petitioner(s):
Jesus Fuentes
John Chris Barrientes
______

Defendant(s)/Respondent(s):
City of Houston
______
______

[Attach additional page as necessary to list all parties]

Person or entity completing sheet is:

☒ Attorney for Plaintiff/Petitioner
☐ *Pro Se* Plaintiff/Petitioner
☐ Title IV-D Agency
☐ Other: ______

Additional Parties in Child Support Case:
Custodial Parent: ______
Non-Custodial Parent: ______
Presumed Father: ______

2. Indicate case type, or identify the most important issue in the case (*select only 1*):

Civil

Contract
Debt/Contract
☐ Consumer/DTPA
☐ Debt/Contract
☐ Fraud/Misrepresentation
☐ Other Debt/Contract: ______
Foreclosure
☐ Home Equity—Expedited
☐ Other Foreclosure
☐ Franchise
☐ Insurance
☐ Landlord/Tenant
☐ Non-Competition
☐ Partnership
☐ Other Contract: ______

Injury or Damage
☐ Assault/Battery
☐ Construction
☐ Defamation
Malpractice
☐ Accounting
☐ Legal
☐ Medical
☐ Other Professional Liability: ______
☐ Motor Vehicle Accident
☐ Premises
Product Liability
☐ Asbestos/Silica
☐ Other Product Liability
List Product: ______
☐ Other Injury or Damage: ______

Real Property
☐ Eminent Domain/ Condemnation
☐ Partition
☐ Quiet Title
☐ Trespass to Try Title
☐ Other Property: ______

Related to Criminal Matters
☐ Expunction
☐ Judgment Nisi
☐ Non-Disclosure
☐ Seizure/Forfeiture
☐ Writ of Habeas Corpus—Pre-indictment
☐ Other: ______

Employment
☒ Discrimination
☐ Retaliation
☐ Termination
☐ Workers' Compensation
☐ Other Employment: ______

Other Civil
☐ Administrative Appeal
☐ Antitrust/Unfair Competition
☐ Code Violations
☐ Foreign Judgment
☐ Intellectual Property
☐ Lawyer Discipline
☐ Perpetuate Testimony
☐ Securities/Stock
☐ Tortious Interference
☐ Other: ______

Tax
☐ Tax Appraisal
☐ Tax Delinquency
☐ Other Tax

Family Law

Marriage Relationship
☐ Annulment
☐ Declare Marriage Void
Divorce
☐ With Children
☐ No Children

Post-judgment Actions (non-Title IV-D)
☐ Enforcement
☐ Modification—Custody
☐ Modification—Other

Title IV-D
☐ Enforcement/Modification
☐ Paternity
☐ Reciprocals (UIFSA)
☐ Support Order

Other Family Law
☐ Enforce Foreign Judgment
☐ Habeas Corpus
☐ Name Change
☐ Protective Order
☐ Removal of Disabilities of Minority
☐ Other: ______

Parent-Child Relationship
☐ Adoption/Adoption with Termination
☐ Child Protection
☐ Child Support
☐ Custody or Visitation
☐ Gestational Parenting
☐ Grandparent Access
☐ Paternity/Parentage
☐ Termination of Parental Rights
☐ Other Parent-Child: ______

Probate & Mental Health

Probate/Wills/Intestate Administration
☐ Dependent Administration
☐ Independent Administration
☐ Other Estate Proceedings
☐ Guardianship—Adult
☐ Guardianship—Minor
☐ Mental Health
☐ Other: ______

3. Indicate procedure or remedy, if applicable (*may select more than 1*):

☐ Appeal from Municipal or Justice Court
☐ Arbitration-related
☐ Attachment
☐ Bill of Review
☐ Certiorari
☐ Class Action
☐ Declaratory Judgment
☐ Garnishment
☐ Interpleader
☐ License
☐ Mandamus
☐ Post-judgment
☐ Prejudgment Remedy
☐ Protective Order
☐ Receiver
☐ Sequestration
☒ Temporary Restraining Order/Injunction
☐ Turnover

4. Indicate damages sought (*do not select if it is a family law case*):

☐ Less than $100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees
☐ Less than $100,000 and non-monetary relief
☐ Over $100, 000 but not more than $200,000
☒ Over $200,000 but not more than $1,000,000
☐ Over $1,000,000

Certified Document Number: 73213135 - Page 1 of 1

I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this January 13, 2017

Certified Document Number: 73213135 Total Pages: 1

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

COUNTY OF HARRIS ★ STATE OF TEXAS ★

CHRIS DANIEL
HARRIS COUNTY DISTRICT CLERK

Civil Process Pick-Up Form

CAUSE NUMBER: 2016 87870

ENTERED AB
VERIFIED

ATY ✓ **CIV** ______ **COURT** 127

REQUESTING ATTORNEY/FIRM NOTIFICATION

*ATTORNEY REQUESTING: Joseph G. Soliz ATTY. PHONE #: 713 228 8422

*CIVIL PROCESS SERVER (CIV): ______ BOX: ______

*CIV PHONE NUMBER: ______

*PERSON NOTIFIED SVC READY: Meredith

* NOTIFIED BY: Nelson Cuero

DATE: 12/27/16

Type of Service Document: CITR Tracking Number 73324484

Process papers prepared by: Nelson Cuero

Date: Tuesday, December 27, 2016 **30 days waiting** 01 - 27 - 17

***Process papers released to:** Joseph Soliz
(PRINT NAME)

713/228-8422
*(CONTACT NUMBER)

(SIGNATURE)

***Process papers released by:** Iris
(PRINT NAME)

(SIGNATURE)

* Date: 12/30/2016 ~~2016~~ Time: 12:37 AM (PM)

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging

Revised 12-15-2014

DISTRICT COURT OF HARRIS COUNTY TEXAS

I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this January 13, 2017

Certified Document Number: 73264910 Total Pages: 1

Chris Daniel

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

P.2

CAUSE NO 201687870

RECEIPT NO 0 00 ATY

********** TR # 73324484

PLAINTIFF FUENTES, JESUS
vs
DEFENDANT CITY OF HOUSTON

In The 127th
Judicial District Court
of Harris County, Texas
127TH DISTRICT COURT
Houston, TX

CITATION

THE STATE OF TEXAS
County of Harris

FILED
Chris Daniel
District Clerk
JAN 04 2017
Time 3/11
Harris County Texas
By B. Denman
Deputy

TO CITY OF HOUSTON BY SERVING ITS CITY SECRETARY ANNA RUSSELL
IN THE OFFICE OF THE CITY SECRETARY
OR WHEREVER SHE MAY BE FOUND
900 BAGBY ROOM P101 HOUSTON TX 77002
Attached is a copy of PLAINTIFF'S ORIGINAL PETITION

This instrument was filed on the 26th day of December, 2016, in the above cited cause number and court The instrument attached describes the claim against you

YOU HAVE BEEN SUED, You may employ an attorney If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10 00 a m on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you

TO OFFICER SERVING

This citation was issued on 27th day of December, 2016, under my hand and seal of said Court

Issued at request of
SOLIZ, JOSEPH G
5201 MEMORIAL DR , UNIT 343
HOUSTON, TX 77007
Tel (713) 228-8922
Bar No 18827600

DISTRICT COURT OF HARRIS COUNTY, TEXAS

Chris Daniel
CHRIS DANIEL, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P O Box 4651, Houston, Texas 77210)
Generated By CUERO, NELSON 7MM//10570855

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at 10:10 o'clock A M , on the 3rd day of JANUARY , 2017

Executed at (address) 900 BAGBY Room P101 Houston TX 77002 in

HARRIS County at 11:14 o'clock A M , on the 3rd day of JANUARY , 2017, by delivering to CARRIE ROBERTS Authorized to Receive Service For City of Houston By Serving Its City Secretary-ANNA RUSSELL defendant, in person, a true copy of this Citation together with the accompanying _____ copy(ies) of the Petition PLAINTIFF'S ORIGINAL Petition attached thereto and I endorsed on said copy of the Citation the date of delivery To certify which I affix my hand officially this 3rd day of JANUARY , 2017

FEE $80.00

_____ of _____ County, Texas

Affiant

By _____
Deputy

On this day, John Riles III, known to me to be the person whose signature appears on the foregoing return, personally appeared After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return

SWORN TO AND SUBSCRIBED BEFORE ME, on this 4th day of JANUARY , 2017

MEREDITH C RYAN
Notary Public State of Texas
Comm Expires 12 17 2020
Notary ID 129236058

Meredith C Ryan
Notary Public

N INT CITR P

73324484

RECORDER'S MEMORANDUM
This instrument is poor quality
at the time of imaging

BEST CHOICE CIVIL PROCESS SERVICE
3276 HOLMAN ST
HOUSTON TEXAS 77004
832-782-3947

FILED
Chris Daniel
District Clerk
JAN 04 2017
Time ______
Harris County, Texas
By ______
Deputy

COUNTY OF HARRIS

STATE OF TEXAS

AFFIDAVIT TO SUPPORT SERVICE OF CITATION

COMES NOW JOHN RILES III AND STATES THAT THE FOLLOWING FACTS ARE TRUE AND CORRECT

I AM A PERSON OVER THE AGE OF EIGHTEEN AND HAVE NEVER BEEN CONVICTED OF ANY FELONY OR OF ANY CIRME OF MORAL TURPITUDE I AM A PROCESS SERVER AS LISTED AND AUTHORIZED BY THE ORDER GRANTING APPLICATION SIGNED FEBRUARY 24, 1994 BY JUDGE DAVID WEST, ADMINISTRATIVE JUDGE CIVIL TRIAL DIVISION OF THE DISTRICT COURTS OF HARRIS COUNTY, TEXAS- ORDER SIGNED JUNE 29, 2005 AND AUTHORIZED BY THE SUPREME COURT OF THE STATE OF TEXAS ORDER EXPIRES 7/2017 I AM NOT A PARTY TO THIS-**CASE NO 2016-87870** OR RELATED TO, EMPLOYED BY OR OTHERWISE CONNECTED TO (OTHER THAN HAVING BEEN RETAINED TO SERVE PROCESS IN THIS CASE) NEITHER ANY PARTY NOR ANY PARTY'S ATTORNEY IN THIS CASE I HAVE NO INTEREST IN THE OUTCOME OF THIS LAWSUITE **PENDING BEFORE THE 127TH JUDICIAL DISTRICT COURT OF HARRIS COUNTY, TEXAS**

[signature]

JOHN RILES III SCH00001034

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN RILES III, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SIGNED TO THE ABOVE AFFIDAVIT AND ACKNOWLEDGES TO ME THAT THE REPRESENTATIONS CONTAINED THEREIN ARE TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE

GIVEN UNDER MY HAND AND SEAL OF THIS OFFICE 4th DAY OF JANUARY 2017

NOTARY IN AND FOR THE STATE OF TEXAS
Meredith C. Ryan

MY COMMISSION EXPIRES
Dec 17 20 2020

MEREDITH C RYAN
Notary Public State of Texas
Comm Expires 12 17 2020
Notary ID 129236058

DISTRICT COURT OF HARRIS COUNTY TEXAS

I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this January 27, 2017

Certified Document Number: 73474213 Total Pages: 2

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com